

FORM PTO-1390
(REV. 11-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

ENV1298-002I

U.S. APPLICATION NO. (If known, see 37 CFR 1.5

09/763282

INTERNATIONAL APPLICATION NO.

PCT/US99/19091

INTERNATIONAL FILING DATE

20 August 1999

PRIORITY DATE CLAIMED

20 August 1998

TITLE OF INVENTION

PRODUCTION AND USE OF A PREMIUM FUEL GRADE PETROLEUM COKE

APPLICANT(S) FOR DO/EO/US

ROGER G. ETTER

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: Three (3) Amendments Under Article 34; Annexes of the International Preliminary Examination Report, consisting of 26 pp of amended replacement sheets for the description and claims; PTO-1449; postcard filing receipt.

U.S. APPLICATION NO. (if known) 09/763282 INTERNATIONAL APPLICATION NO. PCT/US99/19091	ATTORNEY'S DOCKET NUMBER ENV1298-0021	CALCULATIONS PTO USE ONLY																														
21. <input checked="" type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1000.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$860.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$710.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$690.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 ENTER APPROPRIATE BASIC FEE AMOUNT =		<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%; text-align: right;">\$ 100.00</td> <td style="width:50%;"></td> </tr> <tr> <td style="text-align: right;">\$</td> <td></td> </tr> </table>	\$ 100.00		\$																											
\$ 100.00																																
\$																																
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).																																
<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:20%;">CLAIMS</th> <th style="width:20%;">NUMBER FILED</th> <th style="width:20%;">NUMBER EXTRA</th> <th style="width:20%;">RATE</th> <th style="width:20%;"></th> </tr> </thead> <tbody> <tr> <td>Total claims</td> <td>62 - 20 =</td> <td>42</td> <td>x \$18.00</td> <td>\$ 756.00</td> </tr> <tr> <td>Independent claims</td> <td>3 - 3 =</td> <td>0</td> <td>x \$80.00</td> <td>\$ 0.00</td> </tr> <tr> <td colspan="3"></td> <td>+ \$270.00</td> <td>\$ 0.00</td> </tr> <tr> <td colspan="4">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>\$ 856.00</td> </tr> <tr> <td colspan="4">TOTAL OF ABOVE CALCULATIONS =</td> <td>\$ 428.00</td> </tr> </tbody> </table>		CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		Total claims	62 - 20 =	42	x \$18.00	\$ 756.00	Independent claims	3 - 3 =	0	x \$80.00	\$ 0.00				+ \$270.00	\$ 0.00	MULTIPLE DEPENDENT CLAIM(S) (if applicable)				\$ 856.00	TOTAL OF ABOVE CALCULATIONS =				\$ 428.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE																													
Total claims	62 - 20 =	42	x \$18.00	\$ 756.00																												
Independent claims	3 - 3 =	0	x \$80.00	\$ 0.00																												
			+ \$270.00	\$ 0.00																												
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				\$ 856.00																												
TOTAL OF ABOVE CALCULATIONS =				\$ 428.00																												
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.																																
SUBTOTAL =		\$																														
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).		\$																														
TOTAL NATIONAL FEE =		\$ 428.00																														
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +		\$																														
TOTAL FEES ENCLOSED =		\$ 428.00																														
		Amount to be refunded: \$																														
		charged: \$																														
a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>428.00</u> to cover the above fees is enclosed. b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>19-4076</u> in the amount of \$ <u>428.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>19-4076</u> . A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.																																
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.																																
SEND ALL CORRESPONDENCE TO: JEFFREY S. STANDLEY Standley & Gilcrest LLP 495 Metro Place South, Suite 210 Dublin, Ohio 43017 United States of America																																
SIGNATURE <u>Jeffrey C. Norris</u> JEFFREY C. NORRIS NAME <u>42.039</u> REGISTRATION NUMBER Dated: February 20, 2001																																

PTO 2002-2001